

FORTY-EIGHTH DAY
(Friday, April 21, 1989)

The Senate met at 9:30 a.m. pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Armbrister, Barrientos, Bivins, Brooks, Brown, Caperton, Carriker, Dickson, Edwards, Green, Haley, Harris, Henderson, Johnson, Krier, Leedom, Lyon, McFarland, Montford, Parker, Farmer, Ratliff, Sims, Tejeda, Truan, Uribe, Washington, Zaffirini.

Absent-excused: Glasgow, Santiesteban, Whitmire.

A quorum was announced present.

Senate Doorkeeper Jim Morris offered the invocation as follows:

Our Father, this morning we ask that You grace us with Your presence. We pray it will be a day that when ended we will have lived and acted in a way that gives satisfaction with ourselves. Engage the energies and wisdom of these to sort out and put in proper place the issues yet on the agenda. Make them aware they have been set aside for a special work and bless them as they fulfill their responsibilities. In His name. Amen.

On motion of Senator Brooks and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

LEAVES OF ABSENCE

Senator Glasgow was granted leave of absence for today on account of important business on motion of Senator Brooks.

Senator Whitmire was granted leave of absence for today on account of important business on motion of Senator Brooks.

Senator Santiesteban was granted leave of absence for today on account of important business on motion of Senator Brooks.

REPORTS OF STANDING COMMITTEES

Senator Brooks submitted the following report for the Committee on Health and Human Services:

S.B. 1547

Senator Truan, Acting Chairman, submitted the following report for the Committee on Health and Human Services:

S.B. 1561

Senator Brooks submitted the following report for the Committee on Health and Human Services:

C.S.S.B. 1676

C.S.S.B. 1527

C.S.S.B. 1417

Senator Truan, Acting Chairman, submitted the following report for the Committee on Health and Human Services:

C.S.S.B. 1679

Senator Brooks submitted the following report for the Committee on Health and Human Services:

C.S.S.B. 854
C.S.S.B. 705
H.B. 468 (Amended)
C.S.S.B. 1387

Senator Montford submitted the following report for the Committee on State Affairs:

C.S.S.B. 116

MESSAGE FROM THE HOUSE

House Chamber
April 21, 1989

HONORABLE W. P. HOBBY
PRESIDENT OF THE SENATE

SIR: I am directed by the House to inform the Senate that the House has passed the following:

S.B. 5, Relating to the establishment and maintenance of artificial reefs; establishing an artificial reef fund; making an appropriation. (As substituted)

S.B. 550, Relating to the regulation of the practice of dentistry. (As amended)

S.B. 623, Relating to certain purchases by school districts. (As amended)

S.B. 308, Relating to habeas corpus proceedings involving the right to possession of a child.

S.B. 113, Relating to the confirmation election for certain regional water districts.

S.B. 335, Relating to the creation, administration, powers, duties, operation and financing of the McCulloch County Hospital District; authorizing a tax; granting the authority to issue bonds; and granting the power of eminent domain.

S.B. 395, Relating to the clarification of orders, decrees and judgments not specific enough to be enforced by contempt in suits affecting the parent-child relationship.

S.B. 132, Relating to a security instrument of an owner or operator of a natural gas liquid pipeline.

S.B. 526, Relating to the election of the board of directors of the Crockett County Hospital District.

S.B. 671, Relating to clarification and authorization relating to drugs and devices necessary to perform dialysis for persons with chronic kidney failure.

H.J.R. 4, Proposing a constitutional amendment authorizing the members of a hospital district board to serve four-year terms.

H.B. 509, Relating to supplemental compensation received by the judges of district courts in Caldwell, Comal, Guadalupe and Hays counties.

H.B. 1631, Relating to the abolition of certain application requirements for a license as an air conditioning and refrigeration contractor.

H.B. 1632, Relating to the administration of the Employees Retirement System of Texas.

H.B. 1718, Relating to the repeal of the law granting police power to a sexton, superintendent or other person in charge of a cemetery.

H.B. 2231, Relating to an election to adopt the optional county road system in Gregg County.

H.B. 1960, Relating to certain proceeds subject to a security interest.

H.B. 2095, Relating to determination of claims and filing of lawsuits under the Texas Employees Uniform Group Insurance Benefits Act and other laws administered by the Employees Retirement System of Texas.

H.B. 1087, Relating to permitting local law enforcement agencies to obtain criminal history information records to investigate residents of a house that may be designated as a temporary safe haven for school-age children.

H.B. 1519, Relating to continuing education requirements for insurance adjusters.

H.B. 1601, Relating to the disposition of proceeds from the sale of abandoned motor vehicles.

H.B. 1900, Relating to motorcycle parking privileges.

H.B. 2260, Relating to certain administrative provisions of the Alcoholic Beverage Commission.

H.B. 2551, Relating to the payment for the purchase of road construction materials by a State agency.

H.B. 960, Relating to the requirement of a quarterly audit of county entities and district attorneys that collect certain funds.

H.B. 1318, Relating to the right of possession and authority to sell production-related equipment abandoned at the site of an oil or gas well plugged or replugged by the Railroad Commission of Texas.

H.B. 2197, Relating to a recount of votes in an election.

H.B. 488, Relating to justice and small claims courts.

H.B. 808, Relating to the period for demonstrating proficiency in the use of firearms by a commissioned security officer or an applicant for a security officer commission.

H.B. 108, Relating to the public notice of a meeting to consider a property tax rate increase.

H.B. 1745, Relating to Railroad Commission authority to grant exceptions in certain cases.

H.B. 781, Relating to the creation, administration, powers, duties, operation and financing of the Northeast Growth Corridor Water, Sewer, Irrigation and Drainage District No. 1.

H.B. 1888, Relating to establishing the Texas Literacy Council as an advisory body in the department of commerce.

H.B. 2626, Relating to the exclusion of certain territory from a rural fire prevention district.

H.B. 1943, Relating to the authority of the Texas Employment Commission to accept gifts.

H.B. 1976, Relating to a county judge or commissioner serving as an officer or director of another entity.

H.B. 2058, Relating to the oversight of the Governor's Mansion.

H.B. 606, Relating to including on school bus routes children who attend certain child care facilities.

H.B. 2532, Relating to weight of vehicles transporting solid waste.

H.B. 1712, Relating to the payment of the expense of an alcoholic beverage election in a municipality.

Respectfully,

BETTY MURRAY, Chief Clerk
House of Representatives

SENATE BILLS AND RESOLUTIONS ON FIRST READING

On motion of Senator Sims and by unanimous consent, the following bills and resolutions were introduced, read first time and referred to the Committee indicated:

S.C.R. 124 by Sims Jurisprudence
Granting Clifford Kidd, dba Cliff's Flying Service, permission to sue the State of Texas and the Texas Department of Agriculture.

S.C.R. 125 by Barrientos Jurisprudence
Granting Clearwater Constructors, Inc., permission to sue the State of Texas and the Texas Department of Corrections.

S.B. 1740 by Brooks, Bivins, Caperton, Health and Human Services
Carriker, Dickson, Glasgow, Haley, Montford, Parker, Ratliff, Sims, Truan, Uribe, Zaffirini
Relating to the establishment of the center for rural health initiatives.

S.B. 1741 by Armbrister Intergovernmental Relations
Relating to the establishment of a public defender's office in Aransas County.

S.B. 1742 by Parker Jurisprudence
Relating to the liability of pilots rendering pilot services to or from ports located in Jefferson County or Orange County.

S.B. 1743 by Parker Intergovernmental Relations
Relating to the exclusion of territory from certain emergency services districts.

S.B. 1744 by Green Intergovernmental Relations
Relating to the authority of certain rapid transit authorities to adopt and enforce regulations, to commission peace officers, and to set forth the powers and jurisdiction of the peace officers.

S.B. 1745 by Glasgow Health and Human Services
Relating to the dissolution of the South Eastland County Hospital District.

S.B. 1746 by Lyon Natural Resources
Relating to requirements for election to the board of Smith County Water Control and Improvement District Number One—Owentown.

HOUSE BILLS ON FIRST READING

The following bills received from the House were read the first time and referred to the Committee indicated:

H.B. 318, To Committee on Health and Human Services.
H.B. 843, To Committee on Economic Development.
H.B. 860, To Committee on Intergovernmental Relations.
H.B. 1159, To Committee on Health and Human Services.
H.B. 1224, To Committee on Jurisprudence.
H.B. 1312, To Committee on Criminal Justice.
H.B. 1323, To Committee on Criminal Justice.
H.B. 1347, To Committee on Health and Human Services.

CO-AUTHOR OF SENATE BILL 56

On motion of Senator Brown and by unanimous consent, Senator Zaffirini will be shown as Co-author of S.B. 56.

CO-AUTHORS OF SENATE BILL 524

On motion of Senator Johnson and by unanimous consent, Senators Barrientos and Krier will be shown as Co-authors of S.B. 524.

CO-AUTHOR OF SENATE BILL 672

On motion of Senator Edwards and by unanimous consent, Senator Truan will be shown as Co-author of S.B. 672.

CO-AUTHOR OF SENATE BILL 838

On motion of Senator Edwards and by unanimous consent, Senator Truan will be shown as Co-author of S.B. 838.

CO-AUTHOR OF SENATE BILL 1107

On motion of Senator Carriker and by unanimous consent, Senator Caperton will be shown as Co-author of S.B. 1107.

CO-AUTHOR OF SENATE BILL 1570

On motion of Senator Brooks and by unanimous consent, Senator Krier will be shown as Co-author of S.B. 1570.

CO-AUTHORS OF SENATE BILL 1667

On motion of Senator Tejeda and by unanimous consent, Senators Sims, Zaffirini and Krier will be shown as Co-authors of S.B. 1667.

SENATE RESOLUTION 492

Senator Brooks offered the following resolution:

WHEREAS, San Jacinto Day, April 21, is a day celebrated by all Texans to commemorate the battle that gave Texas her freedom; and

WHEREAS, In the late afternoon of a spring day on the plains of San Jacinto, General Sam Houston and a small band of Texans defeated a troop of Mexican soldiers in a short, but very decisive battle on April 21, 1836; and

WHEREAS, After retreats and disasters halfway across Texas, Sam Houston's small army turned on Mexican General Santa Anna's superior forces and with their battle cry, "Remember the Alamo," routed them in a battle lasting only a few minutes; Texas had won her independence from Mexico; and

WHEREAS, The battle ended a long, bloody conflict between the Anglo settlers of Texas and a powerful, trained, well-equipped army of Mexico, numbering in the thousands; and

WHEREAS, With the capture of General Santa Anna the following day, Texas's valiant struggle for freedom came to a dramatic climax and her hopes and dreams were finally realized; and

WHEREAS, With Santa Anna's capture the Texans affirmed the independence that they had declared from Mexico on March 2, 1836, less than two months earlier; and

WHEREAS, After the fall of the Alamo on March 6, 1836, Sam Houston left the convention at Washington-on-the-Brazos, knowing Texas now had a coherent government, with full command of all the armed forces in Texas; and

WHEREAS, Following devastating defeats at Goliad and the Alamo, the early Texans finally faced the reality of the conflict and many joined Sam Houston for the defense of the Republic; the Texans were on their way to San Jacinto; and

WHEREAS, Wagons filled with wives, children, old folks, animals, and belongings fled toward the safety of the Sabine River and beyond, away from the invading Mexican army; the Texas soldiers followed Sam Houston turning toward the plains of the San Jacinto River; and

WHEREAS, The victory of the Texas army, made up mostly of "Old Texans" who had established homes and families in the Mexican state, opened the door for Anglo-American colonization of the Southwest and California; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 71st Legislature, hereby join the millions of Texans everywhere in celebrating the glorious victory at the Battle of San Jacinto that took place 153 years ago today.

The resolution was read and was adopted by a rising vote of the Senate.

COMMITTEE SUBSTITUTE SENATE BILL 672 ON SECOND READING

On motion of Senator Edwards and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 672, Relating to the regulation of accident and health, and Medicare supplement insurance.

The bill was read second time and was passed to engrossment viva voce vote.

COMMITTEE SUBSTITUTE SENATE BILL 672 ON THIRD READING

Senator Edwards moved that the Constitutional Rule and Senate Rule 7.19 requiring bills to be read on three several days be suspended and that **C.S.S.B. 672** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 27, Nays 0.

Absent: Washington.

Absent-excused: Glasgow, Santiesteban, Whitmire.

The bill was read third time and was passed by the following vote: Yeas 27, Nays 0. (Same as previous roll call)

GUEST PRESENTED

Senator Armbrister was recognized and presented Dr. Jerry Crabtree of Victoria.

Dr. Crabtree, participating in the "Capitol Physician" program sponsored by the Texas Academy of Family Physicians, was welcomed by the Senate and received an expression of gratitude for his service today.

**COMMITTEE SUBSTITUTE
SENATE BILL 125 ON SECOND READING**

Senator Green asked unanimous consent to suspend the regular order of business to take up for consideration at this time:

C.S.S.B. 125, Relating to the report of the use, sale, delivery, or possession of drugs, inhalants, or alcoholic beverages on school property.

There was objection.

Senator Green then moved to suspend the regular order of business and take up **C.S.S.B. 125** for consideration at this time.

The motion prevailed by the following vote: Yeas 19, Nays 9.

Yeas: Armbrister, Barrientos, Bivins, Brown, Dickson, Edwards, Green, Haley, Harris, Krier, Leedom, Lyon, Montford, Parmer, Ratliff, Tejada, Truan, Uribe, Zaffirini.

Nays: Brooks, Caperton, Carriker, Henderson, Johnson, McFarland, Parker, Sims, Washington.

Absent-excused: Glasgow, Santiesteban, Whitmire.

The bill was read second time and was passed to engrossment by the following vote: Yeas 21, Nays 7.

Yeas: Armbrister, Barrientos, Bivins, Brown, Carriker, Dickson, Edwards, Green, Haley, Harris, Johnson, Krier, Leedom, Lyon, Montford, Parmer, Ratliff, Tejada, Truan, Uribe, Zaffirini.

Nays: Brooks, Caperton, Henderson, McFarland, Parker, Sims, Washington.

Absent-excused: Glasgow, Santiesteban, Whitmire.

**COMMITTEE SUBSTITUTE
SENATE BILL 1077 ON SECOND READING**

On motion of Senator Leedom and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 1077, Relating to advertising, price quotes, and charges of automobile rental companies.

The bill was read second time and was passed to engrossment viva voce vote.

**COMMITTEE SUBSTITUTE
SENATE BILL 1077 ON THIRD READING**

Senator Leedom moved that the Constitutional Rule and Senate Rule 7.19 requiring bills to be read on three several days be suspended and that **C.S.S.B. 1077** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 27, Nays 1.

Nays: Washington.

Absent-excused: Glasgow, Santiesteban, Whitmire.

The bill was read third time and was passed viva voce vote.

(Senator Caperton in Chair)

**COMMITTEE SUBSTITUTE
SENATE BILL 752 ON SECOND READING**

On motion of Senator Johnson and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 752, Relating to affirmative action and equal employment opportunity requirements for persons who contract with the state.

The bill was read second time and was passed to engrossment viva voce vote.

**COMMITTEE SUBSTITUTE
SENATE BILL 752 ON THIRD READING**

Senator Johnson moved that the Constitutional Rule and Senate Rule 7.19 requiring bills to be read on three several days be suspended and that **C.S.S.B. 752** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 27, Nays 1.

Nays: Washington.

Absent-excused: Glasgow, Santiesteban, Whitmire.

The bill was read third time and was passed viva voce vote.

SENATE BILL 804 ON SECOND READING

On motion of Senator Zaffirini and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 804, Relating to eligibility for beginning positions in fire or police departments.

The bill was read second time and was passed to engrossment viva voce vote.

SENATE BILL 804 ON THIRD READING

Senator Zaffirini moved that the Constitutional Rule and Senate Rule 7.19 requiring bills to be read on three several days be suspended and that **S.B. 804** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 27, Nays 1.

Nays: Washington.

Absent-excused: Glasgow, Santiesteban, Whitmire.

The bill was read third time and was passed by the following vote: Yeas 28, Nays 0.

Absent-excused: Glasgow, Santiesteban, Whitmire.

(Senator Brooks in Chair)

**COMMITTEE SUBSTITUTE
SENATE BILL 1100 ON SECOND READING**

On motion of Senator Truan and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 1100, Relating to the creation, administration, powers, and duties of the Texas Hazardous Materials Safety Board.

The bill was read second time.

Senator Truan offered the following amendment to the bill:

Amend C.S.S.B. 1100 as follows:

On Page 1, line 16, insert the word "management" between the words "a" and "representative".

The amendment was read and was adopted viva voce vote.

On motion of Senator Truan and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment viva voce vote.

**COMMITTEE SUBSTITUTE
SENATE BILL 1100 ON THIRD READING**

Senator Truan moved that the Constitutional Rule and Senate Rule 7.19 requiring bills to be read on three several days be suspended and that C.S.S.B. 1100 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 27, Nays 1.

Nays: Washington.

Absent-excused: Glasgow, Santiesteban, Whitmire.

The bill was read third time and was passed viva voce vote.

**COMMITTEE SUBSTITUTE
SENATE BILL 1101 ON SECOND READING**

On motion of Senator Truan and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 1101, Relating to reporting requirements for certain railroad companies that transport hazardous materials.

The bill was read second time and was passed to engrossment viva voce vote.

**COMMITTEE SUBSTITUTE
SENATE BILL 1101 ON THIRD READING**

Senator Truan moved that the Constitutional Rule and Senate Rule 7.19 requiring bills to be read on three several days be suspended and that C.S.S.B. 1101 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 27, Nays 1.

Nays: Washington.

Absent-excused: Glasgow, Santiesteban, Whitmire.

The bill was read third time and was passed viva voce vote.

**(President Pro Tempore Leedom in Chair)
SENATE BILL 1505 ON SECOND READING**

On motion of Senator Brooks and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 1505, Relating to children placed for adoption.

The bill was read second time and was passed to engrossment viva voce vote.

SENATE BILL 1505 ON THIRD READING

Senator Brooks moved that the Constitutional Rule and Senate Rule 7.19 requiring bills to be read on three several days be suspended and that **S.B. 1505** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 27, Nays 1.

Nays: Washington.

Absent-excused: Glasgow, Santiesteban, Whitmire.

The bill was read third time and was passed by the following vote: Yeas 28, Nays 0.

Absent-excused: Glasgow, Santiesteban, Whitmire.

SENATE BILL 770 ON SECOND READING

On motion of Senator Brooks and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 770, Relating to the creation of the Institute of Biosciences and Technology at Texas A&M University.

The bill was read second time.

Senator Brooks offered the following committee amendment to the bill:

Amend **S.B. 770** as follows: Strike Sec. 86.62 (4), lines 28-32, and substitute “ (4) To establish interdisciplinary programs with Texas research institutions that will provide a technology and education base to strengthen state industries in biotechnology and related areas and attract new biotechnology based industries to Texas. ”

The committee amendment was read and was adopted viva voce vote.

On motion of Senator Brooks and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment viva voce vote.

SENATE BILL 770 ON THIRD READING

Senator Brooks moved that the Constitutional Rule and Senate Rule 7.19 requiring bills to be read on three several days be suspended and that **S.B. 770** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 27, Nays 1.

Nays: Washington.

Absent-excused: Glasgow, Santiesteban, Whitmire.

The bill was read third time and was passed by the following vote: Yeas 28, Nays 0.

Absent-excused: Glasgow, Santiesteban, Whitmire.

SENATE BILL 1047 ON SECOND READING

On motion of Senator Parker and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 1047, Relating to the construction of statutes.

The bill was read second time and was passed to engrossment viva voce vote.

SENATE BILL 1047 ON THIRD READING

Senator Parker moved that the Constitutional Rule and Senate Rule 7.19 requiring bills to be read on three several days be suspended and that **S.B. 1047** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 27, Nays 1.

Nays: Washington.

Absent-excused: Glasgow, Santiesteban, Whitmire.

The bill was read third time and was passed viva voce vote.

**MOTION TO PLACE COMMITTEE SUBSTITUTE
SENATE BILL 937 ON SECOND READING**

Senator Parker asked unanimous consent to suspend the regular order of business to take up for consideration at this time:

C.S.S.B. 937, Relating to senate confirmation of Texas Water Development Board appointments to the board of directors of the Lower Neches Valley Authority.

There was objection.

Senator Parker then moved to suspend the regular order of business and take up **C.S.S.B. 937** for consideration at this time.

The motion was lost by the following vote: Yeas 17, Nays 9. (Not receiving two-thirds vote of Members present)

Yeas: Armbrister, Barrientos, Brooks, Caperton, Carriker, Edwards, Green, Johnson, Lyon, Montford, Parker, Parmer, Sims, Tejeda, Truan, Uribe, Zaffirini.

Nays: Bivins, Brown, Dickson, Haley, Harris, Henderson, Krier, Leedom, Washington.

Absent: McFarland, Ratliff.

Absent-excused: Glasgow, Santiesteban, Whitmire.

SENATE BILL 740 ON SECOND READING

Senator Henderson moved to suspend the regular order of business to take up for consideration at this time:

S.B. 740, Relating to the purchasing, lease, or conversion of motor vehicles by state agencies, school districts, and local transit authorities and districts to assure use of compressed natural gas or other alternative fuels.

The motion prevailed by the following vote: Yeas 27, Nays 1.

Nays: Leedom.

Absent-excused: Glasgow, Santiesteban, Whitmire.

The bill was read second time.

Senator Bivins offered the following amendment to the bill:

Amend **S.B. 740** as follows:

In Section 21.174, Education Code (committee printing page 2, between lines 63 and 64), after Subsection (f), add the following:

(g) After September 1, 1994, a county or local district school board that is subject to Subsections (d), (e), and (f) of this section may prepare an analysis of the cost to the district of complying with those subsections. The analysis must include a comparison of the cost to the district of converting motor vehicles used for transporting school children based on a 10 year amortization of conversion cost, and operating those vehicles during a period of at least three years with an estimated cost to the district of operating those vehicles without conversion during the same period. If the analysis demonstrates that the district's compliance with Subsections (d), (e), and (f) of this section has resulted in a cost to the district greater than the amount the district would have paid over the same period in operating those vehicles without conversion, the district may petition the State Purchasing and General Services Commission for reimbursement of the added cost incurred in compliance and for a waiver from further compliance with Subsections (d), (e), and (f) of this section. The petition must include the analysis and all facts demonstrating the added cost to the district. The commission shall consider a petition received under this subsection as if it were a contested case under the Administrative Procedure and Texas Register Act (Article 6252-13a, Vernon's Texas Civil Statutes). If the commission determines that an analysis and petition presented under this subsection demonstrate that the petitioner has incurred an added cost by complying with Subsections (d), (e), and (f) of this section, the commission shall grant the waiver and reimburse the district the amount of the added cost. A petitioner may appeal a determination of the commission under this subsection in the same manner as an appeal from a contested case under the Administrative Procedure and Texas Register Act (Article 6252-13a, Vernon's Texas Civil Statutes).

The amendment was read and was adopted viva voce vote.

On motion of Senator Henderson and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment viva voce vote.

SENATE BILL 740 ON THIRD READING

Senator Henderson moved that the Constitutional Rule and Senate Rule 7.19 requiring bills to be read on three several days be suspended and that **S.B. 740** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 26, Nays 2.

Yeas: Armbrister, Barrientos, Bivins, Brooks, Brown, Caperton, Carriker, Dickson, Edwards, Green, Haley, Harris, Henderson, Johnson, Krier, Lyon, McFarland, Montford, Parker, Parmer, Ratliff, Sims, Tejeda, Truan, Uribe, Zaffirini.

Nays: Leedom, Washington.

Absent-excused: Glasgow, Santiesteban, Whitmire.

The bill was read third time and was passed viva voce vote.

RECORD OF VOTE

Senator Leedom asked to be recorded as voting "Nay" on the final passage of the bill.

**COMMITTEE SUBSTITUTE
SENATE BILL 769 ON SECOND READING**

On motion of Senator Caperton and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 769, Relating to the adoption of certain regulations to encourage and require the use of natural gas and other alternative fuels; providing penalties.

The bill was read second time and was passed to engrossment viva voce vote.

**COMMITTEE SUBSTITUTE
SENATE BILL 769 ON THIRD READING**

Senator Caperton moved that the Constitutional Rule and Senate Rule 7.19 requiring bills to be read on three several days be suspended and that **C.S.S.B. 769** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 27, Nays 1.

Nays: Washington.

Absent-excused: Glasgow, Santiesteban, Whitmire.

The bill was read third time and was passed viva voce vote.

SENATE BILL 1030 ON SECOND READING

On motion of Senator Uribe and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 1030, Relating to the establishment of a council to explore possibilities for compact agreements regarding trade and other matters with the bordering states of Mexico.

The bill was read second time and was passed to engrossment viva voce vote.

SENATE BILL 1030 ON THIRD READING

Senator Uribe moved that the Constitutional Rule and Senate Rule 7.19 requiring bills to be read on three several days be suspended and that **S.B. 1030** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 27, Nays 1.

Nays: Washington.

Absent-excused: Glasgow, Santiesteban, Whitmire.

The bill was read third time and was passed viva voce vote.

**COMMITTEE SUBSTITUTE
SENATE BILL 125 ON THIRD READING**

Senator Green moved that the Constitutional Rule and Senate Rule 7.19 requiring bills to be read on three several days be suspended and that **C.S.S.B. 125** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 27, Nays 1.

Nays: Washington.

Absent-excused: Glasgow, Santiesteban, Whitmire.

The bill was read third time.

Senator Washington offered the following amendment to the bill:

Amend C.S.S.B. 125 on third reading as follows:

Between the words, "employee" and "suspects" on line 30, add the word: reasonably.

By unanimous consent, the amendment was read and was adopted viva voce vote.

On motion of Senator Green and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was finally passed by the following vote: Yeas 28, Nays 0.

Absent-excused: Glasgow, Santiesteban, Whitmire.

MOTION TO PLACE SENATE BILL 600 ON SECOND READING

Senator Lyon moved to suspend the regular order of business to take up for consideration at this time:

S.B. 600, Relating to the authority of a public utility to self-insure against certain losses and to the consideration of those costs in determining rates.

The motion was lost by the following vote: Yeas 16, Nays 10. (Not receiving two-thirds vote of Members present)

Yeas: Armbrister, Bivins, Brooks, Brown, Carriker, Dickson, Green, Henderson, Krier, Leedom, Lyon, McFarland, Montford, Parker, Ratliff, Sims.

Nays: Barrientos, Caperton, Haley, Johnson, Parmer, Tejeda, Truan, Uribe, Washington, Zaffirini.

Absent: Edwards, Harris.

Absent-excused: Glasgow, Santiesteban, Whitmire.

COMMITTEE SUBSTITUTE SENATE BILL 1001 ON SECOND READING

On motion of Senator Carriker and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 1001, Relating to identification of bank facilities.

The bill was read second time and was passed to engrossment viva voce vote.

COMMITTEE SUBSTITUTE SENATE BILL 1001 ON THIRD READING

Senator Carriker moved that the Constitutional Rule and Senate Rule 7.19 requiring bills to be read on three several days be suspended and that **C.S.S.B. 1001** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 27, Nays 1.

Nays: Washington.

Absent-excused: Glasgow, Santiesteban, Whitmire.

The bill was read third time and was passed by the following vote: Yeas 28, Nays 0.

Absent-excused: Glasgow, Santiesteban, Whitmire.

SENATE BILL 911 ON SECOND READING

On motion of Senator McFarland and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 911, Relating to coverage of chemical dependency under certain health insurance, prepaid health plans, and self-funded and self-insured health plans.

The bill was read second time and was passed to engrossment viva voce vote.

SENATE BILL 911 ON THIRD READING

Senator McFarland moved that the Constitutional Rule and Senate Rule 7.19 requiring bills to be read on three several days be suspended and that **S.B. 911** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 26, Nays 2.

Yeas: Armbrister, Barrientos, Brooks, Brown, Caperton, Carriker, Dickson, Edwards, Green, Haley, Harris, Henderson, Johnson, Krier, Leedom, Lyon, McFarland, Montford, Parker, Parmer, Ratliff, Sims, Tejada, Truan, Uribe, Zaffirini.

Nays: Bivins, Washington.

Absent-excused: Glasgow, Santiesteban, Whitmire.

The bill was read third time and was passed viva voce vote.

RECORD OF VOTE

Senator Bivins asked to be recorded as voting "Nay" on the final passage of the bill.

COMMITTEE SUBSTITUTE

SENATE BILL 732 ON SECOND READING

On motion of Senator Haley and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 732, Relating to the provision of emergency medical services by subscription.

The bill was read second time and was passed to engrossment viva voce vote.

COMMITTEE SUBSTITUTE

SENATE BILL 732 ON THIRD READING

Senator Haley moved that the Constitutional Rule and Senate Rule 7.19 requiring bills to be read on three several days be suspended and that **C.S.S.B. 732** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 27, Nays 1.

Nays: Washington.

Absent-excused: Glasgow, Santiesteban, Whitmire.

The bill was read third time and was passed by the following vote: Yeas 28, Nays 0.

Absent-excused: Glasgow, Santiesteban, Whitmire.

**COMMITTEE SUBSTITUTE
HOUSE BILL 187 ON SECOND READING**

On motion of Senator Zaffirini and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

C.S.H.B. 187, Relating to the reduction, withholding, or donation of the compensation of certain county and precinct officers.

The bill was read second time.

Senator Zaffirini offered the following amendment to the bill:

Amend **C.S.H.B. 187** as follows:

On line 53 of the printed bill insert the words “or will reduce the amount of compensation” after the word “services”.

On line 54 of the printed bill insert the words “and/or pledges to seek to abolish the office upon election” after the word “elected”.

On line 55 of the printed bill strike the word “may” and insert in lieu thereof the word “shall”.

On line 56 of the printed bill insert the words “filed by a candidate who seeks to abolish the office upon election” after the word “The affidavit”.

The amendment was read and was adopted viva voce vote.

On motion of Senator Zaffirini and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading viva voce vote.

**COMMITTEE SUBSTITUTE
HOUSE BILL 187 ON THIRD READING**

Senator Zaffirini moved that the Constitutional Rule and Senate Rule 7.19 requiring bills to be read on three several days be suspended and that **C.S.H.B. 187** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 26, Nays 2.

Yeas: Armbrister, Barrientos, Bivins, Brooks, Brown, Caperton, Carriker, Dickson, Edwards, Green, Harris, Henderson, Johnson, Krier, Leedom, Lyon, McFarland, Montford, Parker, Parmer, Ratliff, Sims, Tejeda, Truan, Uribe, Zaffirini.

Nays: Haley, Washington.

Absent-excused: Glasgow, Santiesteban, Whitmire.

The bill was read third time and was passed by the following vote: Yeas 27, Nays 1.

Nays: Haley.

Absent-excused: Glasgow, Santiesteban, Whitmire.

SENATE RESOLUTION 493

Senator Truan offered the following resolution:

S.R. 493, Commemorating the anniversary of the birth of Queen Isabella of Spain.

The resolution was read and was adopted viva voce vote.

CONGRATULATORY RESOLUTIONS

H.C.R. 205 - (Sims): Expressing appreciation to Chevron USA for its invaluable support for public display of the original Goddess of Liberty, an important part of this State's unique history.

S.R. 491 - By Carriker: Expressing sincere appreciation to Dorothy Judy Green for her many years of dedicated service to the people of Texas.

ADJOURNMENT

On motion of Senator Brooks, the Senate at 11:44 a.m. adjourned until 11:00 a.m. Monday, April 24, 1989.

APPENDIX

Sent to Governor
(April 21, 1989)

S.B. 96
S.B. 227
S.B. 444
S.B. 529
S.B. 534
S.B. 1122

FORTY-NINTH DAY (Monday, April 24, 1989)

The Senate met at 11:00 a.m. pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Armbrister, Barrientos, Bivins, Brooks, Brown, Caperton, Carriker, Dickson, Edwards, Glasgow, Green, Haley, Harris, Henderson, Johnson, Krier, Leedom, Lyon, McFarland, Montford, Parker, Parmer, Ratliff, Santiesteban, Sims, Tejada, Truan, Uribe, Washington, Whitmire, Zaffirini.

A quorum was announced present.

Senate Doorkeeper Jim Morris offered the invocation as follows:

Our Father, on this the 105th day of this 71st Legislature, we assemble with confidence of Your presence. May reasoning, experience and fairness prevail as once again the Members come together to insure that government is made to serve